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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/695,177	10/28/2003	Richard N. Anderson	HUN.233	4293
24062	7590	02/07/2006	EXAMINER	
CAMORIANO & ASSOCIATES 8225 SHELBYVILLE ROAD LOUISVILLE, KY 40222			ORTIZ, ANGELA Y	
			ART UNIT	PAPER NUMBER
			1732	
DATE MAILED: 02/07/2006				

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

10/695,177

Applicant(s)

ANDERSON, RICHARD N.

Examiner

Angela Ortiz

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 21 December 2005.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-13 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-13 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 28 October 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## DETAILED ACTION

### ***Claim Rejections - 35 USC § 112***

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

Claims 1-9 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. Independent claims 1 and 2 newly claim “inserting said insert piece downwardly into said first channel, with the top surface of the insert initially above the top surface of the core” and “pressing said insert piece downwardly”, which is not supported by the original disclosure. The closest support for the newly amended claims can be found on page 10, first paragraph, which describes applying pressure to the bottom of the core to push the insert into the channel until the top of the insert is flush with the top of the core – nowhere within this specification is “downward” disclosed, neither is there an embodiment describing that the insert is above the core. Applicant’s counsel may redirect the Examiner to any support that may have been inadvertently overlooked; absent such a showing, applicant must amend by removing the unsupported new matter.

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Claims 1-9 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Independent claims 1 and 2 set forth a "first" channel, but do not claim a second channel; and further, all claims depending from either claim 1 or claim 2 simply recite "channel"; applicant may additionally claim a second channel as disclosed or simply delete reference to "first".

In allowed claims 10-13, since claim 12 recites a "second" channel, in claim 11, line 4, --at least--should be inserted before "a first channel"; claim 11, line 10, before "channel", --first--should be inserted; similarly in claim 10, line 10, before "channel", --first--should be included -- no other change is required for the allowed claims.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 1 is rejected under 35 U.S.C. 103(a) as being unpatentable over Smith et al., USP 1,880,115 or Kanematsu et al., USP 6,791,771 (of record).

The cited Smith reference substantially teaches the basic claimed process of assembling two parts together comprising the steps of placing one part into a channel of a second part, wherein there is provided a series of ridges or grooves between the

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bottom surface of the one part and channel, the ridges being readable on the claimed crush ribs, and pressing downwardly on the insert to deform the ribbed surface until the top surfaces of the parts are aligned. See page 1, lines 65-85; page 2, lines 1-35.

The cited Kanematsu reference substantially teaches the basic claimed method of uniting a core with an insert, both having substantially the same profile and a length, including providing a holding rib – crush rib – and pressing the insert into the channel to deform the rib until the parts are aligned. Note that figures 2a and 4a show a downward push of the insert into the channel. See col. 15, lines 25-65; col. 19, lines 5-30.

Claims 2-8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kanematsu et al., USP 6,791,771 in view of Ogi, USP 4,261,947 (of record).

The cited primary reference substantially teaches the basic claimed method of uniting a core with an insert, both having substantially the same profile and a length, including providing a holding rib – crush rib – and pressing the insert into the channel to deform the rib until the parts are aligned. See col. 15, lines 25-65; col. 19, lines 5-30.

The cited primary reference does not teach the step of extrusion coating.

The added secondary reference teaches as conventional the feature of assembling two pieces and extrusion coating the assembly with a thermoplastic material. A composite product is joined by mating two plastic pieces having stepped end faces 4,5 with grooves 7,8 wherein each face fits into the opposite face. A gap is provided between the parts and a thermoplastic resin is extrusion coated onto the joined

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portions. The coating serves to unite and decorate the assembly. See col. 3, lines 5-25.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to extrusion coat the assembly of the primary reference as shown in the added reference, for forming a decorative effect and the joint section.

With respect to the claimed step of pressing downward, note that figures 2a and 4a of the primary reference show a downward assembly of parts and such would have been an obvious alternative for equivalently assembling the parts together.

With respect to claims 4-6, see figure 11 of USP 6,791,771 and col. 15, lines 1-12 for a wider top than bottom feature.

With respect to claims 7-8, see USP4,261,947 figure 1 and col. 2, line 64 to col. 3, line 5 to show the conventionality of leg/shoulder joint assemblies.

Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kanematsu et al., USP 6,791,771 in view of DeRees, USP 5,670,109 (of record).

The cited primary reference substantially teaches the basic claimed method of uniting a core with an insert, both having substantially the same profile and a length, including providing a holding rib – crush rib – and pressing the insert into the channel to deform the rib until the parts are aligned. Note that figures 2a and 4a show a downward push of the insert into the channel. See col. 15, lines 25-65; col. 19, lines 5-30.

The cited primary reference does not teach the step of providing an adhesive per se.

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The added secondary reference sets forth joining two parts to form a composite wherein an adhesive material is injected into the opening therebetween. See col. 3, lines 25-40.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to provide an adhesive in the primary reference as shown in the added reference, for permanently bonding the two parts.

### ***Allowable Subject Matter***

Claims 10-13 would be allowable if rewritten or amended to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action.

### ***Response to Arguments***

Applicant's arguments filed December 21, 2005 have been fully considered but they are not persuasive. Note that the new rejection above clearly addresses the arguments raised in the December 21, 2005 amendment filed. Namely, the newly applied Smith reference shows the argued downward pressing. Also, Kanematsu is deemed to show downward pressing in figures 2a and 4a as argued above.

### ***Conclusion***


The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. USP's 4150466; 3341932.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Angela Ortiz whose telephone number is 571-272-1206. The examiner can normally be reached on Monday-Thursday 9:00-6:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Colaiani can be reached on 571-272-1196. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
Angela Ortiz  
Primary Examiner  
Art Unit 1732

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